

## AMENDMENT TO REAL ESTATE MORTGAGE

THIS AGREEMENT, is made and entered into this 19<sup>th</sup> day of April, 1999, between JOHN S. LEROUX and ROBERT J. LEROUX (hereinafter referred to as "Mortgagor") and TWIN PINES, INC, a Corporation (hereinafter referred to as "Mortgagee").

### RECITALS

Mortgagor is the owner of the land and improvements located in Shelby County, Alabama, and more particularly described on Exhibit "A" attached hereto and made a part hereof (the "Premises").

Mortgagee is the lawful owner and holder of (a) that certain Real Estate Mortgage dated February 16, 1996 and recorded at Inst. # 1996-05605 in the Office of the Judge of Probate of Shelby County, Alabama (the "Mortgage"), securing payment of the sum of \$400,000.00, together with interest thereon (collectively the "Indebtedness") and (b) the Promissory Note and Loan secured by said Mortgage, which Mortgage encumbers the Premises.

The Mortgage is a valid and enforceable lien upon the Premises.

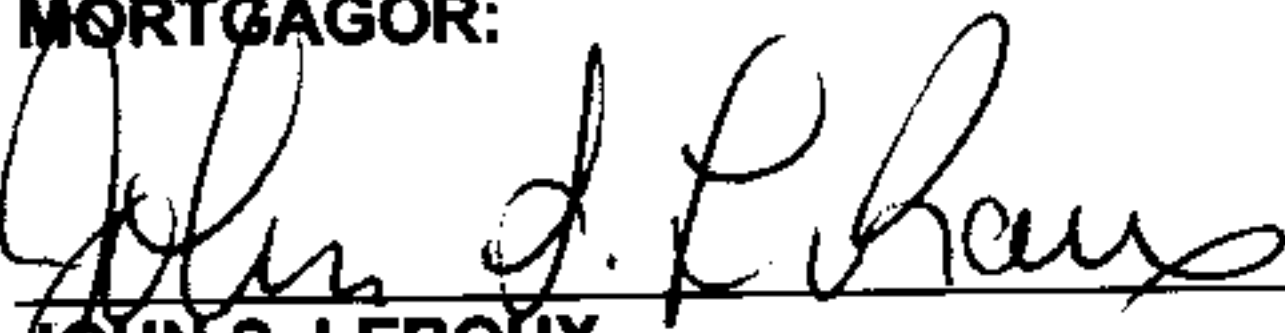
Mortgagor and Mortgagee wish to include in the definition of Premises the land and improvements located in Shelby County, Alabama, and more particularly described on Exhibit "B" attached hereto and made a part hereof.

**NOW THEREFORE**, in consideration of the premises, covenants and the mutual agreements hereinafter set forth, the parties hereto agree as follows:

1. Premises shall include all the land and improvements described on the attached Exhibits "A" and "B" and made a part hereof.
2. Mortgagor hereby (a) ratifies and confirms the lien, conveyance and grant contained in and created by the Mortgage, as the same is modified and extended in the Mortgage, and (b) agrees that nothing contained in this Agreement is intended to or shall impair the lien, conveyance and grant of the Mortgage as the same is modified.
3. Except as amended and modified, the Mortgage is hereby confirmed.

**IN WITNESS WHEREOF**, this Agreement has been duly executed by the parties hereto as of the day and year first above written.

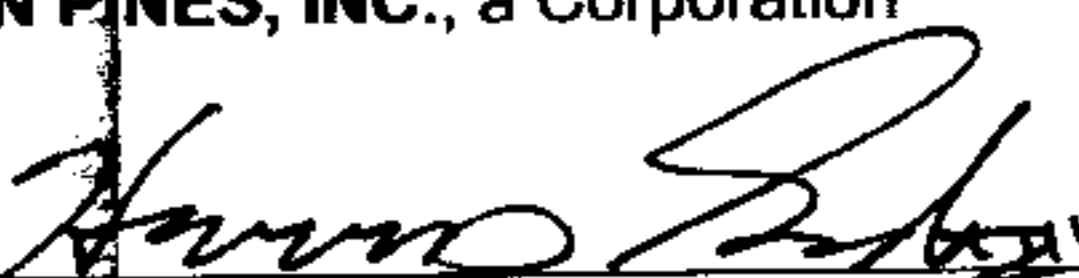
**MORTGAGOR:**

  
JOHN S. LEROUX [SEAL]

  
ROBERT J. LEROUX [SEAL]

**MORTGAGEE:**

TWIN PINES, INC., a Corporation

By:   
Harris Saunders III [SEAL]  
Its Senior Vice President

Inst # 1999-17287  
04/23/1999-17287  
02:47 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 CRH 17.00

STATE OF ALABAMA           )  
COUNTY OF JEFFERSON       )

I, the undersigned, a notary public in and for said County and State, hereby certify that John S. LeRoux and Robert J. LeRoux, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they, being informed of the contents of said instrument, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 19<sup>th</sup> day of April, 1999.

Claude McCain  
NOTARY PUBLIC  
My Commission Expires: 12/28/99

[NOTARIAL SEAL]

STATE OF ALABAMA           )  
COUNTY OF JEFFERSON       )

I, the undersigned, a notary public in and for said County and State, hereby certify that Harris Saunders III, whose name as Senior Vice President of TWIN PINES, INC., a Corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this 19<sup>th</sup> <sup>CP</sup> day of April, 1999.

Cheryl A. Robinson  
NOTARY PUBLIC  
My Commission Expires: 7/10/99

[NOTARIAL SEAL]

This Instrument Prepared By:

Claude McCain Moncus, Esq.  
CORLEY, MONCUS & WARD, P.C.  
400 Shades Creek Parkway  
Suite 100  
Birmingham, Alabama 35209  
(205) 879-5959

EXHIBIT "A"

PARCEL I:

The SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 23, Township 18 South, Range 1 East, and the NW  $\frac{1}{4}$  of Section 26, Township 18 South, Range 1 East, Shelby County, Alabama, as follows:

Begin at a 4" Channel Iron found at the accepted NW corner of Section 26 and the SW corner of Section 23, Township 18 South, Range 1 East, Shelby County, Alabama, and run in a Northerly direction along the accepted West line of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 23, a distance of 1323.26 feet to the accepted NW corner of the said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section, being an old rebar with a new plastic cap bearing R.L.S. Number 4092, Raymond Shackelford, and the name, "Southern Land Surveying Company"; thence turn an interior angle of 90°55'56" and run to the right in an Easterly direction along the accepted North line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 1347.84 feet to a 1" rebar found at the accepted NE corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence turn an interior angle of 90°58'42" and run to the right in a Southerly direction along the accepted East line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 1241.59 feet to a 1" steel bar found in a rock pile at the accepted SE corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence turn an interior angle of 267°41'41" and run to the left in an Easterly direction along the accepted North line of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 26, Township 18 South, Range 1 East, Shelby County, Alabama, a distance of 1327.21 feet to a pine knot found at the accepted NE corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence turn an interior angle of 90°55'34" and run to the right in a Southerly direction along the accepted East line of the NW  $\frac{1}{4}$  of Section 26 a distance of 2634.77 feet to a 1.25" open pipe found at the accepted SE corner of said  $\frac{1}{4}$  section; thence turn an interior angle of 90°51'32" and run to the right in a Westerly direction along the accepted South line of said  $\frac{1}{4}$  section a distance of 2694.37 feet to a 1" rebar found at the accepted SW corner of said  $\frac{1}{4}$  section; thence turn an interior angle of 89°38'44" and run to the right in a Northerly direction along the accepted West line of said  $\frac{1}{4}$  section a distance of 2605.21 feet, more or less, to the point of beginning.

EXHIBIT "B"

A parcel of land situated in the East half of Section 27, Township 18 South, Range 1 East, Shelby County, Alabama, and being more particularly described as follows:

Commence at a channel iron marking the Northeast corner of said Section 27, Township 18 South, Range 1 East; thence proceed South  $0^{\circ}06'27''$  East (Astronomical Bearings), along the East line of said Section 27, 400.00 feet to an iron pin set at the point of beginning of said parcel; thence continue along previous course and said East line of Section 27, 1971.00 feet to an iron pin set; thence proceed South  $89^{\circ}53'33''$  West 312.00 feet to an iron pin set; thence proceed North  $0^{\circ}06'27''$  West, parallel to the East line of said Section 27, 1659.00 feet to an iron pin set; thence proceed North  $44^{\circ}53'33''$  East, 441.24 feet to the point of beginning.

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